

**AMENDMENT TO THE RULES COMMITTEE PRINT**  
**FOR H.R. 4435**  
**OFFERED BY MR. BROOKS OF ALABAMA**

At the end of subtitle E of title XVI, add the following new section:

1 **SEC. 1643. PLAN TO COUNTER CERTAIN GROUND-**  
2 **LAUNCHED BALLISTIC MISSILES AND CRUISE**  
3 **MISSILES.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On March 5, 2014, the Deputy Assistant  
6 Secretary of Defense for Nuclear and Missile De-  
7 fense Policy testified before the Committee on  
8 Armed Services of the Senate that “[w]e are con-  
9 cerned about Russian activity that appears to be in-  
10 consistent with the Intermediate Range Nuclear  
11 Forces Treaty. We’ve raised the issue with Russia.  
12 They provided an answer that was not satisfactory  
13 to us, and we will, we told them that the issue is not  
14 closed, and we will continue to raise this.” Congress  
15 shares this concern regarding Russian behavior that  
16 is “inconsistent with” or in violation or circumven-  
17 tion of the INF Treaty.

1           (2) The Commander of the U.S. European  
2           Command, and Supreme Allied Commander Europe,  
3           stated on April 2, 2014, that “a weapon capability  
4           that violates the INF, that is introduced into the  
5           greater European land mass is absolutely a tool that  
6           will have to be dealt with. . .I would not judge how  
7           the alliance will choose to react, but I would say  
8           they will have to consider what to do about it. . .It  
9           can’t go unanswered.”.

10          (3) The Director of the Missile Defense Agency  
11          stated on March 25, 2014, that Aegis Ashore missile  
12          defense sites, including those to be deployed in the  
13          Republic of Poland and the Republic of Romania,  
14          could be reconfigured to deal with the threat of in-  
15          termediate-range ground launched cruise missiles  
16          with modest changes to “the software, [and] with a  
17          minor hardware addition.”.

18          (4) The “Report on Conventional Prompt Glob-  
19          al Strike Options if Exempt from the Restrictions of  
20          the Intermediate-Range Nuclear Forces Treaty Be-  
21          tween the United States of America and the Union  
22          of Soviet Socialist Republics” provided to the Com-  
23          mittee on Armed Services of the House of Rep-  
24          resentatives in September 2013 by the Chairman of  
25          the Joint Chiefs of Staff stated, “[i]n the absence of

1 the INF Treaty, four types of weapons systems  
2 could assist in closing the existing JROC-validated  
3 capability gap: (1) Modifications to existing short  
4 range or tactical weapon systems to extend range;  
5 (2) Forward-based, ground-launched cruise missiles  
6 (GLCMs); (3) Forward-based, ground-launched in-  
7 termediate-range ballistic missiles (IRBMs); and (4)  
8 Forward-based, ground-launched intermediate-range  
9 missiles with trajectory shaping vehicles (TSVs).”.

10 (5) The report further stated that, “[b]ecause  
11 of INF restrictions, examination of prohibited con-  
12 cepts has not been performed by industry or the  
13 Services. Trade studies regarding capability, afford-  
14 ability, and development timelines would have to be  
15 completed prior to providing an accurate estimate of  
16 cost, technology risk, and timeline advantages that  
17 could be achieved with respect to these concepts. Ex-  
18 tensive knowledge could be leveraged from past and  
19 current land- and sea-based systems to assist in po-  
20 tential development and deployment of these cur-  
21 rently prohibited concepts.”.

22 (6) President Obama stated in Prague in April  
23 2009 that “Rules must be binding. Violations must  
24 be punished. Words must mean something.”.

1           (7) The Nuclear Posture Review of 2010 stat-  
2       ed, “it is not enough to detect non-compliance; viola-  
3       tors must know that they will face consequences  
4       when they are caught.”.

5           (8) The July 2010 Verifiability Assessment re-  
6       leased by the Department of State on the New  
7       START Treaty, and as quoted in a hearing of the  
8       Committee on Armed Services of the Senate, stated:  
9       “[t]he costs and risks of Russian cheating or break-  
10      out, on the other hand, would likely be very signifi-  
11      cant” and that the Russian Federation would be un-  
12      likely to cheat because of the “financial and inter-  
13      national political costs of such an action.”.

14       (b) TESTING OF AEGIS ASHORE.—Not later than De-  
15      cember 31, 2015, the Director of the Missile Defense  
16      Agency shall test the capability of the Aegis Ashore sys-  
17      tem, with any appropriate modifications to the hardware  
18      or software of such system, to counter intermediate-range  
19      ground launched cruise missiles.

20       (c) PLAN TO DEVELOP CERTAIN GROUND-  
21      LAUNCHED BALLISTIC MISSILES AND CRUISE MIS-  
22      SILES.—If, as of the date of the enactment of this Act,  
23      the Russian Federation is not in complete and verifiable  
24      compliance with its obligations under the INF Treaty, the  
25      Secretary of Defense shall—

1           (1) develop a plan for the research and develop-  
2           ment of intermediate range ballistic and cruise mis-  
3           siles. including through trade studies regarding ca-  
4           pability, affordability, and development timelines, for  
5           which there are validated military requirements; and

6           (2) by not later than 120 days after the date  
7           of the enactment of this Act, submit to the congres-  
8           sional defense committees the plan developed under  
9           paragraph (1).

10          (d) INF TREATY DEFINED.—The term “INF Trea-  
11       ty” means the Treaty Between the United States of Amer-  
12       ica and the Union of Soviet Socialist Republics on the  
13       Elimination of Their Intermediate-Range and Shorter-  
14       Range Missiles, commonly referred to as the Intermediate-  
15       Range Nuclear Forces (INF) Treaty, signed at Wash-  
16       ington December 8, 1987, and entered into force June 1,  
17       1988.

